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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/593,139	06/21/2007	Otto Schempp	2693.3018.001	6975

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REISING, ETHINGTON, BARNES, KISSELLE
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EXAMINER

BLEVINS, JERRY M

ART UNIT	PAPER NUMBER
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2883

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/593,139	Applicant(s) SCHEMPP, OTTO	
	Examiner JERRY BLEVINS	Art Unit 2883	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 25 and 26 is/are rejected.
- 7) ☒ Claim(s) 4-24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/20/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claims 4-24 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims 4-24 have not been further treated on the merits.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 25, and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by US 6,335,869 to Branch et al.

Regarding claim 1, Branch discloses an optical connector (Fig. 6-8), comprising:
a dielectric connector housing (20; column 8, line 26) with a receptacle (32) for mating connection with a complementary connector, at least an optical connection element (128) in said connector housing and suitable for mating connection with a complementary optical connection element of the complementary connector, at least an electro-optical component (54, 56) with electronic circuits (92) and ESD protection means (120) wherein said ESD protection means comprises at least

one discharge section (134, 136) projecting towards the receptacle and having a free end (Fig. 7) being exposed to the interior of the receptacle (Figs. 7, 8) to provide an ESD protection within the receptacle. (Although Brown does not explicitly describe ESD protection, feature 120 also acts as ESD protection, because it is comprised of strips of sheet metal connected to ground, as disclosed in column 8, lines 41-43 of D1).

Regarding claim 2, Branch teaches that the ESD protection means (30) comprises an electrically conductive discharge finger (134, Figure 7) terminating in said discharge section and that the discharge section is arranged in the vicinity of the optical connection element in such a way that the discharge finger forms a lightning arrester for protection of the optical connection element (Figure 7).

Regarding claim 3, Branch teaches that the discharge section extends essentially parallel to the introduction direction of the complimentary connector (Figure 7).

Regarding claim 25, Branch discloses the use of a protection element (120) against electrostatic discharges with an optical connector, with a receptacle (32) in a connector housing (20) for mating connection with a complementary connector and with optical connection elements (54, 56) which are positioned in said receptacle, wherein said protection element is provided in such a way in the region of the optical connection elements that said protection element prevents an electrostatic discharge from an object which is introduced into said receptacle onto said optical connection elements within said connector (this is the case, because the shielding element according to Brown has all the structural features necessary to achieve ESD protection, i.e. a metal shield connected to ground).

Regarding claim 26, Brown teaches that the protection element penetrates the connector housing (Figure 7).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JERRY BLEVINS whose telephone number is (571)272-8581. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank G. Font can be reached on 571-272-2415. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jerry M Blevins
Patent Examiner, Art Unit 2883

/Frank G Font/
Supervisory Patent Examiner, Art Unit 2883

2/21/2008
jmb/FGF

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